Anderson Intelligencer.

E. B. MURRAY, Editor.

THURSDAY MORNING, MAY 22, 1879.

STATE PRESS ASSOCIATION.

The fourth annual meeting of the South Carolina State Press Association will convene in Spartanburg on the 11th day of June next at 10 o'clock a. m. We hope every journalist in South Carolina who can possibly do so will endeavor to be present at this meeting, to sustain the organization and reap the social and business advantages which it affords to its members. The date fixed will, in all probability, prevent the INTELLIGENCER from being represented at the coming meeting, as our Court begins here on the 9th day of June. The Association, however, has our most hearty co-operation and well wishes, and we hope the approaching meeting will be one of the most agreeable the organization has ever enjoyed.

LEGAL RIGHTS OF INDIANS.

At last a Judge has been found who has enough of humanity in his composition to think that an Indian has some rights which army officers are bound to respect, and for the declaration of such a novel opinion in the jurisprudence of the United States he has been charged with a desire to furnish sensation law to the nation, and the most amusing yells of disapprobation are going up from the men who made the very laws which Judge Dundy of the United States Court in Nebraska has construed to confer some legal rights even upon Indians. Some time ago "Standing Bear," and a few of the Ponca Indians, fled from their territory on account of a terrible contagion, and were sojourning in the territories, where they were seized under the orders of Gen. Cook, and valiantly (?) carried back towards the Indian territory, as a fitting display of the justice and heroism which has for many years marked our Indian policy—we mean, of course, the policy pursued where the government catches a few unoffending Indians off to themselves. In the Territory of Nebraska writs of *habeas corpus* were sued out, and Judge Dundy ordered the discharge of the Indians, on the ground that Indians are "persons" within the meaning of the Fourteenth Amendment to the Constitution, which says: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States," and as such "possess the inherent right of expatriation as well as the more fortunate white race, and have the inalienable right to life and liberty and the pursuit of happiness, so long as they obey laws and do not trespass on forbidden ground." The decision is an unexpected one, and involves a very interesting legal question, which will, we presume, find its way into the Supreme Court before long. The prejudice and oppression so long heaped upon the Indian renders it difficult for him to procure a judgment upon purely legal considerations, but the Supreme Court may, like Judge Dundy, surprise the country, by informing it that the amendments which secured the rights of citizenship to the negro, also carried them to the long-hunted Red Man in all of his wildness. At least, military commanders may be taught that there is a more exalted sphere in which to seek glory than in useless persecutions of unoffending Indians.

ANTI-MISCEGENATION LAWS.

A great many of the States of the Union have laws against the intermarriage of the races. Such laws are not confined to any section, but may be found upon the statute books of frigid and rigid Rhode Island as well as those of Virginia; upon those of Indiana in the West as well as Georgia in the South. They are founded in a sound and wise policy, which only seeks to enforce what is necessary for the protection of society collectively and as individuals. Despite these laws and condemnation of society, however, there have been numerous violations of the laws, and consequently several indictments have resulted. Virginia and Indiana are taking the lead in the matter, and under the proceedings in them the constitutionality of the law has arisen, and the aid of the United States Courts has been invoked to give a construction to the laws. A test case has been made of Edmund Kenney, colored, who married Mary Hall, white, contrary to the laws of Virginia, of which State they were citizens. The parties had been co-habiting together, and when threatened with prosecution therefor, contrary to the provisions of the Virginia statute, they left the State and went to Washington City, where there is no law against miscegenation, and were married, after which they returned to Virginia. They were indicted, tried, convicted and sentenced to five years each in the penitentiary, where they are now confined. Edmund Kenney procured a writ of *habeas corpus* from Judge Hughes, of the Circuit Court of the United States for Virginia, and the case was fully and ably argued before him on both sides. Judge Hughes reserved his decision, and after several days of research and thought, decided adversely to the petition, holding that the law is constitutional, and that each State has the right to regulate the marriage relation within its own limits. The opinion is an able and clear one, which will no doubt be sustained by the Supreme Court of the United States whenever the question is carried there. In the case of the woman, Mary Hall, proceedings are pending in the United States District Court, from which the case will go by appeal to the Supreme Court of the United States for a final determination of the whole question. Judge Hughes bases his opinion on the ground that citizenship does not carry with it the right to marry whoever the citizen pleases. For instance, a man and his sister are are both citizens, and yet every State in the Union has laws forbidding them to intermarry; and so of other relations, from which it necessarily follows that if the State has the right to prevent by law the intermarriage of one class of citizens, it has also the right to prevent the intermarriage of any other class also. In other words, the extent to which the right may be used rests in the discretion of the State, and is not qualified by any provision of the national constitution. He holds that it is no discrimination on account of race, color, or previous condition, for it prevents white persons from marrying colored persons as much as it prevents colored persons from marrying white persons. It is, therefore, equal in its operations on both races, and makes no distinction against one or in favor of the other. He holds that although marriage is a contract that it is not an ordinary contract, for it cannot be rescinded by mutual consent of the contracting parties as other contracts may, and no person can make more than one contract of the kind at the same time, even though all of the contracting parties might agree to it. And though Section 1977 of the Revised Statutes secures to all persons within the United States the right to make contracts and enforce them in all of the States, Judge Hughes holds that even if marriage were an ordinary contract, the privilege of enforcing it extends only to lawful marriages, and that if a citizen of Virginia went to the District of Columbia or the Territory of Utah and was there married in accordance with the local law, he could not return with his consort or consorts to Virginia and expect to subordinate her laws of marriage to the laws of the other jurisdiction. From these considerations Judge Hughes holds that the regulation of the marriage relation is peculiarly the province of the States, with which the United States Courts have no right to interfere.

The reasons given for this decision are equally forcible in support of the position assumed by the advocates of the bill now pending before the South Carolina Legislature, "to prevent the intermarrying of the races," which was postponed to the next session. Our Constitution provides, Art. I, Sec. 39, * * "Distinction on account of race or color, in any case whatever, shall be prohibited, and all classes of citizens shall enjoy equally all common, public, legal and political privileges." This section has been seized upon by those who are opposed to the law, and is held by some who would otherwise favor it, to make it unconstitutional to pass any law preventing the races from intermarrying. The foregoing views of Judge Hughes vindicates the position assumed by the advocates of the bill that it does not make any distinction between the races. It affects them equally, and therefore does not violate this clause of the Constitution. Then if it be unconstitutional, it must deny to some class of citizens the equal enjoyment of some common, public, legal or political privilege. Marriage will not be contended to be a common privilege anywhere in America outside of the Oneida community in New York, where all property and all wives are held in common. Under our laws marriage is an exclusive and not a common privilege. It is also an individual and not a public privilege, and is not a political privilege. If, therefore, it comes under this section at all it must be as a legal privilege. Now is it a legal privilege? We think not, for to be such it must be a privilege conferred by the laws of the country. Marriage is a social custom which was given to man by the Creator, and is not conferred upon him by any law in this country. So far as laws have been enacted on the subject, they have simply been regulatory. There is no law which secures to any man or woman the right to marry. On the contrary, the only laws which have been passed on the subject tend to restrict the marriage relation. Then, as marriage is not a privilege created by law, it cannot come under the head of a legal privilege, and as the right to regulate the custom is nowhere denied in the Constitution, the Legislature is the judge of what regulation is right and proper, and the act proposed is not repugnant to any provision of our State Constitution. If, however, it is admitted for the sake of argument that it is a legal privilege, still the act proposed would not violate the section quoted, for it does not propose to take away from one class privileges which would be allowed another class. It proposes to take away from both classes the same privilege, which would still leave them equal in privileges—that is, neither would have any privilege at all to marry the other. It rests upon precisely the same grounds as does the question of its being a distinction on account of race or color, and the decision that it is no distinction to take a privilege away from both, implies too strongly to be debated that it is no inequality to take a privilege away from two classes of citizens entirely.

The act proposed in this State is therefore constitutional, and should by all means be adopted, as it will put an end to a practice which, though not common, is entirely too frequent, and which tends to the demoralization of both races without benefiting either of them.

The Attorney General is about to institute proceedings for the forfeiture of the charter of the Charlotte, Columbia and Augusta Railroad Company, on the ground of a failure of the Company to comply with its charter, which requires a connection for freights with the South Carolina Railroad, which the C. C. & A. R. R. has refused to make even to the extent of declining to carry any freights consigned over that Road. The reason given for the Company is that it owns no freight cars, and has borrowed from the Wilmington, Columbia and Augusta Railroad, which imposed the condition that no freights for or from the S. C. R. R. should be carried over the C. C. & A. R. R. There are other interesting minor points in the case, which, when fully instituted, will attract very great public interest.

The Atlanta *Constitution* in reporting the proceedings of the Southern Baptist Convention gives an outline of Dr. Taylor's address on the Rome mission, and says:

"A little over one year ago the purchase of a chapel in Rome was completed. The deed covered one hundred pages of foolscap. It was previously used as a billiard saloon."

It is a little uncertain whether our contemporary means that the deed or the hundred pages of foolscap was previously used as a billiard saloon, but in either event it must have been a very remarkable and interesting arrangement for billiard players.

ABUSE OF THE NEGRO.

The North is morbidly sensitive on the subject of the South's treatment of the negro, and many of the papers throughout the Northern and Western States teem with reports of all the unfortunate occurrences in which the negro is a party, embellishing by addition or otherwise such portions of the tales as do not come up to the necessary standard of horror. We expect this course from the Republican press, but it is a matter of no little astonishment to find a paper so well informed and usually so sensible as the New York *Herald* taking an active part in the repetition and magnification of these occurrences. In a recent issue it says:

Nobody will find it difficult to understand the negro exodus who will take the pains to watch from day to day for a month only the chronicles of outrages inflicted upon negroes or persons who sympathize with them which find their way into the newspapers in various parts of the country. Since the redhot republican leaders abandoned "the bloody shirt" as an unsatisfactory standard nobody has been at special pains to gather up and report at large these painful stories, and such of them as see the light come out rather by accident than otherwise and somewhat against the grain, save in the rare cases in which they are told with exultation as if it were heroic for a mob to discipline some frightened wretch with bludgeons and firearms. Because they are not called for the purpose reports of this nature present a safer picture of the life the colored men lead in the South than could be otherwise drawn. Perhaps we hear of one of these stories for a hundred that happen, and if one in mere recital produces a painful impression at a distance how much the hundred act upon the minds of the poor creatures who are the victims! The story of an incident in Arkansas, told in the *Herald* yesterday, is a characteristic one, and proves that there are no authorities in that State with energy or courage enough to face the ruffianly opinion that believes it proper to deal with the negro as if he were a wild beast. As that opinion exists in the South—as there are no authorities that can prevent its substitution for the law—the negro acts only upon ordinary human impulses in his effort to get away.

Such articles as this from the *Herald* are doing the South very great injury both materially and politically. There are unfortunate instances of violence towards negroes by white men in the South, but they are not sustained by law nor are they supported by public opinion. It is also true that there are more cases of violence between whites than of whites towards negroes, and also more instances of violence towards whites by negroes than of violence to negroes by white persons. In many instances where white persons are violent towards negroes it is in self-defense, but there are also some outrageous cases which are disgraceful to our country and are universally regretted by our people, and when the guilty parties are caught merited punishment is inflicted. These cases, however much to be regretted, are no worse than hundreds which occur through the North and West, not with negroes, because they are not there, but with the very class of population which most nearly approaches to our colored population. If the North and West would look a little nearer at home it might be of service to them. We of the South realize the misfortune of more lawlessness than we ought to have, and are using vigilant efforts to suppress it. If the North succeeds as well as the South has done, and will continue to do, it will have cause for gratitude. The color question ought to have nothing to do with crime. The true test of the relative lawlessness of the sections is the whole amount of crime in each. Morally and before the law it is as great a crime to kill a negro as to kill a white man, but it is not a greater crime and therefore until the North can stop the killing of men in her States, the press would do well to moralize a little on matters at home as well as to spend the time in prating about a distant subject of which they know little or nothing. In the meantime we of the South ought to strive to remove entirely this cause of censure by rigidly enforcing the law irrespective of race or color. Men of all races should be made to realize that crime will be punished, and that neither the great nor the humble can disobey the laws of the government without reaping a proper penalty therefor.

Apropos to the vetoing mood which seems to control Mr. Hayes at this time, it may be interesting to present the views of General Zachary Taylor as expressed on this subject by him during his candidacy for the presidency. When these sentiments were uttered, the whole country was jealous of any encroachment upon the free institutions of the republic, and as Gen. Taylor was elected by a large majority, it may be safely asserted that the sentiments he uttered on the exercise of the veto power were in accordance with the views of the people of the nation at that time. If Mr. Hayes really desires to return to the ancient moorings of our government, he cannot find a better point to begin at than by practically adopting the following views of General Taylor: "The power given by the Constitution to the Executive to interpose his veto is a high conservative power; but in my opinion it should never be exercised except in case of clear violation of the Constitution, or manifest haste and want of due consideration by Congress. The personal opinion of the individual who may happen to occupy the Executive Chair ought not to control the action of Congress upon questions of domestic policy, nor ought his objections to be interposed when questions of Constitutional power have been settled by the various departments of government and acquiesced in by the people."

The recent decisions of the Supreme Court of this State have been anything but encouraging to the advocates of the fraudulent debt of South Carolina. Their champion mouthpiece has not had a word about sustaining the decision of the Court for about a month, and if the decision should not be favorable to the holders of these pretended bonds we expect to witness some journalistic acrobatic feats, which will be amusing. The judges of the Supreme Court are giving the debt problem serious consideration, and from the decisions already made we believe they clearly comprehend the issues presented in the case, and that the forthcoming decision will be in conformity to the law and justice of the important matter committed to their charge.

An exchange says that the Pennsylvania Legislature is so corrupt that a rotten egg smashed against the Speaker's desk smells like a bank of violets. Of course this is the case, for it is controlled by the Republican party, which in turn is controlled by the Cameron wing. New York and some other Legislatures where the Republicans have the majority are very nearly as fragrant.

A Washington dispatch says that the Democrats have decided to pass an address to the President, to be presented to him in the audience room of the White House in the presence of both Houses, under the joint rules, expressing the disapprobation of his use of the veto power. Hon. Proctor Knott, of Kentucky, is preparing the address, which is first to be submitted to the judiciary committee for concurrence. If it is adopted it will have to be read to the President by the Vice President, Wm. A. Wheeler, and will present an amusing scene. The idea of Wheeler lecturing Hayes for doing exactly what he wants him to do! The Democrats, in our opinion, have done many injudicious things, and some even verging on to the foolish, but we presume that the leaders of the party have too much judgment and shrewdness to be guilty of any such proceeding as that indicated. It will look to the country exactly like the child who has had a threshing and, feeling that he can do nothing else, makes mouths at the one who whipped him. Every body knows that the Democrats disapprove of the President's veto, and if the address of censure is adopted it will receive none but Democratic votes, and be regarded as a piece of political partisan spite. If Congress can find nothing better to do than make mouths at the President it had better abjourn and go home.

THE STIFFENED SPINE.

The Military Must Be Superior to the Civil Power.

WASHINGTON, May 12.

The president to day returned to the house of representatives the act to prohibit military interference at elections, with his objections to its approval. The president says: "Holding as I do the opinion that any military interference whatever at the polls is contrary to the spirit of our institutions, and would tend to destroy freedom of elections, and sincerely desiring to concur with congress in all of its measures, it is with very great regret that I am forced to the conclusion that the bill before me is not only unnecessary to prevent such interference, but is a dangerous departure from long-settled and important constitutional principles. The true rule as to the employment of military force at the elections is not doubtful. No intimidation or coercion should be allowed to control or influence citizens in the exercise of their right to vote, whether it appears in the shape of combination or evil-disposed person, or of armed bodies of militia of a state, or of military force of the United States. The elections should be free from all forcible interference, and as far as practicable from all apprehension of such interference. No soldiers, either of the union or of the state militia, should be present at the polls to take the place or to perform the duties of an ordinary civil police force. There has been and will be no violation of this rule under orders from me during this administration. But there should be no denial of the right of the national government to employ its military force on any day and at any place, in case such employment is necessary to enforce the constitution and laws of the United States. Quoting the bill the president says: "It will be observed that the bill exempts from the general prohibition against the employment of military force at the polls two specified cases. These exceptions recognize and concede the soundness of principle that military force may properly and constitutionally be used at the place of elections when such use is necessary to enforce the constitution and the laws. But the excepted cases leave the prohibition cases so extensive and far-reaching that its adoption will seriously impair the efficiency of the executive department of the government." The president then proceeds to quote the acts of congress authorizing the use of military power to execute the laws, provisions of which were approved by Washington and Jefferson, and still later by Lincoln; and refering thereto the president says: "At the most critical periods of our history my predecessors in the executive office have relied on this great principle. It was on this principle that President Washington suppressed the whisky rebellion in Pennsylvania in 1794. In 1806, on the same principle, President Jefferson broke up the Burr conspiracy by issuing orders for the employment of such force, either of the regulars or of the militia, and by such proceedings of the civil authorities as might enable them to suppress, effectually, further progress of the enterprise, and it was under same authority that President Jackson crushed nullification in South Carolina, that President Lincoln issued his call for troops to save the union in 1861. On numerous other occasions, of less significance, under probably every administration, and certainly under the present, this power has been usefully exerted to enforce the laws without objection by any party in the country, and almost without attracting public attention. The great elementary constitutional principle which was the foundation of the original statute of 1792, and which has been its essence in the various forms it has assumed since its first adoption is that the government of the United States possesses, under the constitution, in full measure, the power of self-protection by its own agencies, altogether independent of State authority, and if need be against hostility of the State government. It should remain embodied in our statutes, unimpaired, as it has been, from the very origin of the government. It should be regarded as hardly less valuable or less sacred than a provision of the constitution itself. There are many other important statutes containing provisions that are liable to be suspended or annulled at the times and places of holding elections, if the bill before me should become a law. I do not undertake to furnish the list of them. Many of them perhaps, the most of them, have been set forth in the debates on this measure. They relate to extradition claims against the election laws, to quarantine regulations, to neutrality, to Indian reservations, to the civil rights of citizens and to other subjects. In regard to them all, it my be safely said that the meaning and effect of this bill is to take from the general government an important part of its power to enforce the laws. Another grave objection to the bill, is its discrimination in favor of the State and against the national authority. The presence or employment of the army or navy of the United States, is lawful under the terms of this bill at the place where an election is being held in a State to uphold the authority of a State government, then and there in need of such military intervention; but it is unlawful to uphold the authority of the government of the United States then and there in need of such military intervention. Under this bill the presence and employment of the army or navy of the United States would be lawful, and might be necessary to maintain the conduct of a State election against the domestic violence that would overthrow it, but it would be unlawful to maintain the conduct of a national election against the same local violence that would overthrow it. The discrimination has never been attempted in any previous legislation by congress, and is no more compatible with the sound principles of the constitution or the necessary maxims and methods of our system of government on occasions of elections than at other times. In the early legislation of 1792 and 1795, by which the militia of the states was the only military power resorted to for the execution of the constitutional powers in support of state or national authority, both functions of the government were put upon the same footing, and by the act of 1807 the employment of the army and navy was authorized for the performances of both constitutional duties in the same terms. In all later statutes on the same subject matter the same measure of authority to the government has been accorded for the performance of both these duties. No precedent has been found in any previous legislation, and no sufficient reason given for discrimination in favor of state against national authority which this bill contains. Under the sweeping terms of the bill, the national government is effectually shut out from the discharge of the right and from the discharge of the imperative duty to use its whole executive power wherever required for the enforcement of its laws at places and times where and when its elections are held. The employment of its organized armed forces for any such purpose would be an offense against law, unless called for by, and therefore upon permission of, the authorities of the state in which the occasion arises. What is this but the substitution of the discretion of the state government for the discretion of the government of the United States as to the performance of its own duties. In my judgment this is an abandonment of its obligations by the national government, a subordination of national authority, and an intrusion of state supervision over national duties, which amounts in spirit and tendency to state supremacy. Though I believe that the existing statutes are abundantly adequate to completely prevent military interference with the elections in the sense in which the phrase is used in the title of the bill, and is employed by the people of the country, I shall find no difficulty in concurring in any additional legislation limited to that object which does not interfere with the indispensable exercise of the powers of the government under the constitution and laws.

Signed, RUTHERFORD B. HAYES.
Executive Mansion, May 12, 1879.

UNITED STATES COURT.

Important Railroad Litigation—Chamberlain in Charleston and Corbin Expected.

The term of the United States Circuit Court, which will be opened here by Chief Justice Waite and Judge Hugh L. Bond this morning, promises to be occupied in the discussion and solution of a large number of questions of vital importance to the railroad interests of this State, and, in addition to the numerous members of the Charleston bar who will appear in the cases, ex-Governor D. H. Chamberlain, ex-Judge Samuel W. Melton, Col. James H. Rion and Captain Wm. E. Earle have already arrived to take part in the arguments, and D. T. Corbin, Esq., is expected to arrive to-day or to-morrow, representing certain plaintiffs in the South Carolina Railroad case.

The first case that will be taken up will be the Greenville and Columbia Railroad case, which will come up this morning. In this case, Mr. Chamberlain, representing Freeman Clark and others holding the State guaranteed bonds, will file a bill asking the United States Court to take jurisdiction of the case, vacate the appointment of Gen. James Conner as receiver by the State Court, and appoint a new receiver. Colonel Rion, who represents certain holders of the State guaranteed bonds, will be neutral upon the question of jurisdiction, but will, when that point is settled, urge the priority of the State guaranteed bonds.

Ex-Judge Samuel Melton, with Capt. Earle, will represent the road, and will oppose the appointment of a receiver by the United States Court.

The South Carolina Railroad case will probably next be taken up. In this case the most important questions which will be discussed are as follows: A motion will be made to vacate the appointment of the receiver, John H. Fisher, Esq., by Judge Bond at Baltimore, on the ground that he had no jurisdiction to make the appointment outside of the State of South Carolina. A motion will also be made to appoint a referee to take testimony generally in the case; also a motion for the payment of the interest on the undisputed bonds of the road; also a motion to set aside the injunction granted by Judge Bond with regard to the hypothecated bonds; also a motion to vacate the injunction granted by Judge Bond against the syndicate's coupons; also a motion to require the receiver to give a new bond, with sureties residing in the State of South Carolina; also a petition from the present receiver for permission to extend the tracks of the road to Cooper River, and to erect the necessary wharves at a cost not to exceed $35,000.

In this case Mr. Chamberlain, together with Mr. Corbin, will represent the complainants, Calvin Claflin and others. A motion will also be made by Messrs. McCrady & Son, representing the trustees of the Blue Ridge Railroad, to set aside the sale of this road, made under the decree of Judge Bryan in the District Court. Judge A. G. Magrath represents the purchasers, and will oppose the motion.

The Wilmington, Columbia and Augusta Railroad will also figure in court during the term. Messrs. Moise & Lee, of Sumter, will endeavor to establish a judgment obtained in the State Court as a lien prior to the mortgage upon the road, under which mortgage proceedings are now pending for foreclosure and sale. Col. Rion, representing the receiver, will resist this motion.

The Port Royal Railroad will also have a place in the picture. This case will come up on a motion for a confirmation of sale and the reports of Special Master James Simons, Jr., upon the claims against the road, together with the exceptions to these reports.

The Chief Justice will remain here only until Friday night, but Judge Bond will remain a week longer if necessary.

The court will meet this morning promptly at 10 o'clock.—*News and Courier, May 19.*

Lost Certificate of Deposit.

THE undersigned has lost or mislaid a Certificate of Deposit in the National Bank of Anderson, S. C., No. 1397, for $200.00, dated 22nd January, 1879.

G. W. LONG.

May 22, 1879 45 1

To Public School Teachers.

TEACHERS holding claims for services in January may present them to the County Treasurer for payment on or about the first of June.

R. W. TODD, School Commissioner.

May 22, 1879 45 1

THE STATE OF SOUTH CAROLINA,
COUNTY OF ANDERSON.
COURT OF COMMON PLEAS.

Frances S. Riley, Plaintiff, against Clarissa Gaines, William A. Gaines, Tilman R. Gaines, Marshall B. Gaines, Edmund P. Gaines, Lawson P. Gaines, Carrie A. Gaines, Maxwell C. Gaines, Jane Ramsey, David M. Ramsey, Lou Ramsey, Laura Ramsey, Mattie Ramsey, and the State Savings and Insurance Bank of Anderson, S. C., Defendants.—*Summons for Relief—Complaint not served.*

To the Defendants Clarissa Gaines, William A. Gaines, Tilman R. Gaines, Marshall B. Gaines, Edmund P. Gaines, Lawson P. Gaines, Carrie A. Gaines, Maxwell C. Gaines, Jane Ramsey, David M. Ramsey, Lou Ramsey, Laura Ramsey, Mattie Ramsey, and the State Savings and Insurance Bank of Anderson, South Carolina:

YOU are hereby summoned and required to answer the complaint in this action, which is filed in the office of the Clerk of the Court of Common Pleas, at Anderson C. H., S. C., and to serve a copy of your answer to the said complaint on the subscribers at their office, Anderson C. H., S. C., within twenty days after the service hereof, exclusive of the day of such service; and if you fail to answer the complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief demanded in the complaint.

Dated Anderson, S. C., May 20th, A. D. 1879.

[SEAL] JOHN W. DANIELS, C. C. P.

MURRAY & MURRAY, Plaintiff's Attorneys.

To the above named Defendants, Carrie A. Gaines and Maxwell C. Gaines:

Take notice that the complaint in this action, in which a summons is herewith served upon you, was filed in the office of the Clerk of the Court of Common Pleas for Anderson County, and State of South Carolina, on the 20th day of May, A. D. 1879, and that the object of the said action is to obtain partition of the Real Estate of Nathaniel Gaines, deceased, containing six hundred and seventy acres of land, situate in the County of Anderson, and State of South Carolina, among the owners thereof, by Commissioners to be appointed for the purpose, or to obtain a sale thereof, to be made, and a division of the proceeds, if a partition cannot be made without prejudice to the interest of the owners, and also to authorize the Master for Anderson County to execute titles to the purchasers of certain tracts of lands sold by the said Nathaniel Gaines in his life time.

MURRAY & MURRAY, Plaintiff's Att'ys.

May 22, 1879 45 6

Notice to Contractors.

THE undersigned advertise for proposals to build BARN with Stalls on Poor House Farm, and all proposals must be accompanied by two or more sureties. If the interest of the County should require it, all bids may be rejected, and the Contract let to the lowest bidder on the 3rd of June.

For further information apply to R. S. Bailey, Chairman Board County Commissioners.

R. S. BAILEY,
N. O. FARMER,
W. S. HALL,
County Commissioners.

May 15, 1879 44 3

NOTICE TO CREDITORS.

All persons having demands against the Estate of Andrew McLees, deceased, are notified to render the same to W. W. Humphreys, properly proven, within the time prescribed by law, and those indebted to the Estate to make payment to the undersigned.

HUGH McLEES, Executor.

May 8, 1879 43 3*

THE STATE OF SOUTH CAROLINA,
COUNTY OF ANDERSON.
COURT OF PROBATE.

James McDavid, Executor of Ann Williams, deceased, Plaintiff, against Austin Williams, Humphrey Williams, John B. Williams, Ira C. Williams, Harriet Horton, William Clement and wife, Elizabeth Clement, Joshua Acker and wife, Matilda Acker, Mary McDavid, Ira C. Gilgerson, Louis A. Williams, and children of Laura Ann Calhoun, names and ages unknown, Defendants.—*Summons for Relief, &c.—Complaint not Served.*

To the Defendants as above—

YOU are hereby summoned and required to answer the petition in this action, of which a copy is filed in the Probate Court, and to serve a copy of your answer to the said petition on the subscribers at their office, at Anderson Court House, South Carolina, by the 18th of July, 1879, and if you fail to answer the complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief demanded in the complaint.

Dated Anderson, S. C., 13th May, A. D. 1879.

EARLE & WELLS,
ORR & TRIBBLE,
Plaintiffs' Attorneys.

To the Defendant—

You will take notice that the object of this action is for an accounting, final settlement of, and discharge from Estate of Mrs. Ann Williams, deceased.

EARLE & WELLS,
ORR & TRIBBLE,
Plaintiff's Attorneys.

W. W. HUMPHREYS,
Judge of Probate.

May 15, 1879 44 6

THE STATE OF SOUTH CAROLINA,
COUNTY OF ANDERSON.
COURT OF COMMON PLEAS.

J. O. Jones and wife, Pallie Jones, Plaintiffs, against W. B. Millwee, Margaret A. Pattian, Martha E. Harper, Sophia C. Millwee, et al., Defendants.—*Summons for Relief—Complaint not Served.*

To the Defendants W. B. Millwee, Margaret A. Pattian, Martha E. Harper, Mary J. Wilborn, Samuel B. Millwee, Fannie M. Jones and husband, David Jones, Sophia A. Lewis and husband, J. W. Lewis, James M. Millwee, Robert B. Millwee, Sophia C. Millwee, Amaziah Hall and S. S. Newell.

YOU are hereby summoned and required to answer the complaint in this action, of which a copy is herewith served upon you, and to serve a copy of your answer to the said complaint on the subscribers at their office, at Anderson, South Carolina, within twenty days after the service hereof, exclusive of the day of such service; and if you fail to answer the complaint within the time aforesaid, the plaintiffs in this action will apply to the Court for the relief demanded in the complaint.

Dated May 1, 1879.

MOORE & ALLEN,
Plaintiffs' Attorneys, Anderson, S. C.

The Defendants will take notice that the complaint herein filed is for the purpose of confirming, or legalizing, the proceedings had before the Probate Judge, relative to the Real Estate of Samuel Millwee, deceased, and for such other relief as is demanded in the complaint.

MOORE & ALLEN,
Plaintiffs' Attorneys.

May 8, 1879 43 6

STATE OF SOUTH CAROLINA,
COUNTY OF ANDERSON.
COURT OF COMMON PLEAS.

James T. Holland and Major C. Holland, Plaintiffs, against John Holland, Adaline Holland, Mary Holland, Thomas Holland, Mitta Holland, the children of Marion Holland, deceased, to wit: Annie Holland and Mamie Holland, A. J. Stringer and J. B. Lewis, Defendants.—*Summons for Relief—Complaint not Served.*

To the Defendants John Holland, Adaline Holland, Mary Holland, Thomas Holland, the children of Marion Holland, to wit: Annie Holland and Mamie Holland, A. J. Stringer and J. B. Lewis:

YOU are hereby summoned and required to answer the complaint in this action, a copy of which is filed in the office of the Clerk of the Court of Common Pleas for Anderson County, and to serve a copy of your answer to the said complaint on the subscriber at his office, at Anderson, South Carolina, within twenty days after the service hereof, exclusive of the day of such service; and if you fail to answer the complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief demanded in the complaint.

Dated May 6, A. D. 1879.

JOHN E. BREAZEALE,
Plaintiffs' Attorney.

To the Defendants John Holland, Adaline Holland, Mary Holland, Thomas Holland and Mitta Holland:

TAKE NOTICE that the complaint in this action is for the confirmation of the sale of the Real Estate of William Holland, deceased, and was filed in the office of the Clerk of the Court of Common Pleas on the 6th day of May, A. D. 1879.

JOHN E. BREAZEALE,
Plaintiff's Attorney.

May 8, 1879 43 6

EXECUTOR'S SALE.

BY virtue of the power invested in me by the Will of Andrew McLees, deceased, I will sell at Anderson C. H., on Saleday in June next, the following Tracts of Land, whereof the said Andrew McLees died, seized and possessed, to wit:

Tract No. 1, containing 149 acres more or less.

Tract No. 2, containing 100 acres, more or less.

Tract No. 3, containing 100 acres, more or less.

The above lands are located in Rock Mills Township, adjoining lands of J. J. McLees, the homestead and Mrs. Fowler.

J. J. McLees will show the lands to any one desiring to purchase.

HUGH McLEES, Executor.

May 8, 1879 43 3*